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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/993,620	11/27/2001	Hung-Liang Chiu	3313-0419P-SP	8242
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BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747				
			EXAMINER LEZAK, ARRIENNE M	
			ART UNIT 2143	PAPER NUMBER

DATE MAILED: 09/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/993,620

Applicant(s)

CHIU, HUNG-LIANG

Examiner

Arrienne M. Lezak

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 1 recites "the Executive Information System", "the report" and "the database". Claim 5 recites "the database". There is insufficient antecedent basis for this limitation in the claim, and thus amendment is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combined teachings of US Patent Pub. US 2002/0013711 A1 to Ahuja in view of US Patent 6,012,087 to Freivald.
5. Regarding Claims 1 & 2, Freivald discloses an automatic e-mail notification method [on the Executive Information System (EIS)] wherein information is transmitted [in the manufacturing industry] to monitor deviation status of [the report] information and inform the user of the status by e-mail, so that the user will actively obtain most updated and real-time information in efficiency. The method at least includes the steps of:

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- Generating [a report] information on the Executive Information System (EIS), (per pending Claim 2), (Col. 1, lines 14-67; Cols. 2-4; & Col. 6, lines 35-42); (Examiner notes that it would have been obvious to apply the update generation and notification teachings of Freivald to any type of system including a manufacturing system, for purposes of any type of decision making protocol, wherein executive decision making would be an obvious intended use and particular application of the update/notification teachings of Freivald);
- Detecting a specific number/signature [of the report] related to the information from the database, (Figs. 1 & 2 & Col. 1, lines 55-64);
- Starting up an e-mail program, if there is any variation from the report, (Figs. 1 & 2; Col. 1, lines 55-67; Col. 2, lines 1-20; & Col. 4, lines 9-64);
- Storing the specific number on e-mail and sending notification to the user; (Figs. 1 & 2; Col. 1, lines 55-67; Col. 2, lines 1-20; & Col. 4, lines 9-64);
and
- Enabling the user obtain information in a timely fashion, (Figs. 1 & 2; Col. 1, lines 55-67; Col. 2, lines 1-20; & Col. 4, lines 9-64).

6. Though Freivald teaches an update detection email notification system, Freivald does not specifically enumerate information in the form of a report. Ahuja discloses a user-preference generated report, (Figs. 6(a) & (b) & paragraph #0042). It would have been obvious to one of ordinary skill in the art at the time of invention by Applicant to incorporate the report format from Ahuja into the notification system of Freivald for

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purposes of providing information pertaining to the substance of the notification in addition to the notification itself, (Ahuja – paragraph #0005). Thus, Claims 1 & 2 are found to be unpatentable over the combined teachings of Freivald and Ahuja.

7. Regarding Claim 3, Freivald and Ahuja are relied upon for those teaching disclosed herein above. Ahuja further discloses wherein the report(s) are generated on the Executive Information System by a pre-scheduled time, which is determined by the user, (Ahuja – Figs. 6(a) & 6(b) & paragraph #0042). Thus, Claim 3 is found to be unpatentable over the combined teachings of Freivald and Ahuja.

8. Regarding Claim 4, Freivald and Ahuja are relied upon for those teaching disclosed herein above. Ahuja further discloses wherein the report provides more than one column to record various data attributes and functions, (Ahuja – Figs. 6(a) & 6(b) & paragraph #0041-0042). Thus, Claim 4 is found to be unpatentable over the combined teachings of Freivald and Ahuja.

9. Regarding Claim 5, Freivald and Ahuja are relied upon for those teaching disclosed herein above. Freivald further discloses wherein the steps of detecting the specific numbers of the report by the database refer to the first step, which needs to verify standardized conditions and objects of the sending [report] information, (Figs. 1 & 2; Col. 1, lines 55-67; Col. 2, lines 1-20; & Col. 4, lines 9-64). Thus, Claim 5 is found to be unpatentable over the combined teachings of Freivald and Ahuja.

10. Regarding Claim 6, Freivald and Ahuja are relied upon for those teaching disclosed herein above. Freivald further discloses wherein the standardized conditions of sending the [report(s)] information at least include: name of the report, a checking

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item, (a specific number), the content, and an Internet address, (Figs. 1 & 2; Col. 1, lines 55-67; Col. 2, lines 1-20; & Col. 4, lines 9-64), (Examiner finds the checking item to obviously be the specific number generated and used to identify and determine changes to the information. Additionally, Examiner notes that any notification will obviously contain a title/name/header and content. Ahuja further discloses email notifications with embedded website links, (paragraphs #0005-0007)). Thus, Claim 6 is found to be unpatentable over the combined teachings of Freivald and Ahuja.

11. Regarding Claim 7, Freivald and Ahuja are relied upon for those teaching disclosed herein above. Freivald further discloses wherein the specific number is to evaluate variation status if any column, (information), on the report differs from pre-defined scale of conditions of the database, (Figs. 1 & 2; Col. 1, lines 55-67; Col. 2, lines 1-20; & Col. 4, lines 9-64). Thus, Claim 7 is found to be unpatentable over the combined teachings of Freivald and Ahuja.

12. Regarding Claim 8, Freivald and Ahuja are relied upon for those teaching disclosed herein above. Ahuja further discloses wherein the database is a SQL (Structured Query Language) Server, (paragraph #0025), (Examiner notes that SQL is well-known in the art to be a database programming language and placement of a database on a server is equally well-known as a server is an obvious storage means by which a database may be maintained and accessed). Thus, Claim 8 is found to be unpatentable over the combined teachings of Freivald and Ahuja.

13. Regarding Claim 9, Freivald and Ahuja are relied upon for those teaching disclosed herein above. Ahuja further discloses wherein the user(s) can browse the

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[report(s)] information details record by record on the specific Internet, (Figs. 6(a)-(b) & paragraph #0005-0006). Thus, Claim 9 is found to be unpatentable over the combined teachings of Freivald and Ahuja.

14. Regarding Claim 10, Freivald and Ahuja are relied upon for those teaching disclosed herein above. Ahuja further discloses wherein the user(s) obtain information further comprises the following steps of: obtaining information by automatically receiving e-mail notifications, so as to clicking a specific Internet address on the e-mail; connecting to the network; and searching for details of information, (paragraphs #0005-0006), (Examiner notes that it is well-known in the art that clicking on a specific Internet address link will connect an individual to the network wherein the webpage that is produced via the link is searchable for any type of information). Thus, Claim 10 is found to be unpatentable over the combined teachings of Freivald and Ahuja.

15. Regarding Claim 11, Freivald and Ahuja are relied upon for those teaching disclosed herein above. Ahuja further discloses wherein the user automatically obtains information through e-mails, which can be operated by any receiving/sending units of computer controlled hardware platform, such as a PC (Personal Computer), a NB (Notebook or laptop), a PDA (Personal Digital Assistant), and a WAP (Wireless Application Protocol) mobile phone, (Figs 1 & 6(a)-(b) & paragraphs #0007-0011). Thus, Claim 11 is found to be unpatentable over the combined teachings of Freivald and Ahuja.

Conclusion

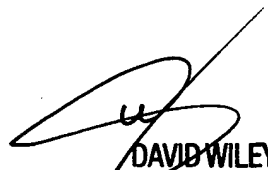
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arrienne M. Lezak whose telephone number is (571)-272-3916. The examiner can normally be reached on M-F 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571)-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Arrienne M. Lezak
Examiner
Art Unit 2143

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